

Abstract

Agreements to Work Outside the Scope of Employment

The present thesis deals with the topic of agreements to work outside the scope of employment, an institute of the Czech Labour Law which constitutes, along with the employment agreement, one of the basic labour law relations. The aim of the thesis was to present and describe the institute of the agreements to work outside the scope of employment in order to determine their place within the Czech labour law and whether they are still a useful form of employment.

The thesis is divided into seven parts. The first part deals with the general theme of labour law relations, with the relation of labour law to civil law as well as with the public law limitations of contractual freedom in labour law relations.

The second part of the thesis concerns the history of the agreements to work outside the scope of employment and the changes the institute went through since its introduction to the Czechoslovak and later Czech law. This part further focuses on the compliance of the agreements to work outside the scope of employment with the European labour law.

The third part of the thesis serves to approach the contents of the institutes of dependent work and employment agreement, in order to better distinguish and compare the agreements to work outside the scope of employment to these institutes.

The fourth part analyses the effective legal frame of the agreements to work outside the scope of employment, underlining the common rules of the two types of agreements, as well as the separate treatment of their differences.

The fifth and sixth part deal with the public law aspect of these agreements, namely from the point of view of health insurance, social security insurance and tax matters. The final seventh part makes a comparison with the agreements to work outside the scope of employment as they are treated within the Slovak legal system.

The thesis concludes with the evaluation of the agreements and of their place and usefulness within the Czech labour law relations.

Keywords: labour law, agreement on the performance of work, agreement on work activity